

JP:WDS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)  
and 960)

CRISTIAN ANTONIO VASQUEZ ROSARIO,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

CHRISTOPHER MCKELVY, being duly sworn, deposes and states that he is a Special Agent with United States Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about September 6, 2011, within the Eastern District of New York and elsewhere, defendant CRISTIAN ANTONIO VASQUEZ ROSARIO did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:<sup>1/</sup>

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<sup>1/</sup> Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant

1. On or about September 6, 2011, the defendant CRISTIAN ANTONIO VASQUEZ ROSARIO arrived at John F. Kennedy International Airport in Queens, New York, aboard JetBlue Airlines flight number 828 from Santo Domingo, Dominican Republic.

2. The defendant CRISTIAN ANTONIO VASQUEZ ROSARIO was selected by Customs and Border Protection ("CBP") Inspectors for a customs enforcement examination. The inspector asked the defendant CRISTIAN ANTONIO VASQUEZ ROSARIO routine customs questions, and the defendant stated that the luggage he was carrying was his and that everything inside belonged to him.

3. The defendant CRISTIAN ANTONIO VASQUEZ ROSARIO then presented two black "Delsey" rolling suitcases, along with baggage claim checks that matched the tags on the two bags. During the examination, the CBP inspector noticed that the handrail of one of the bags would not fully retract and that the bag felt heavy when empty. A probe of the handrails revealed a white, powdery substance that field-tested positive for cocaine.

4. The defendant CRISTIAN ANTONIO VASQUEZ ROSARIO was then placed under arrest. Thereafter, the handrails of the second "Delsey" rolling suitcase were probed, along with the handrails of a "Gabbiano" rolling bag that was contained within the second "Delsey" bag. The handrails for both bags were found

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facts and circumstances of which I am aware.

to contain a white, powdery substance that field-tested positive for cocaine. The total gross weight of the cocaine in the defendant's luggage was approximately 2,930.8 grams.

5. Following the defendant's arrest, the defendant was advised of his Miranda rights, in Spanish, which he appeared to understand and agreed to waive. The defendant then stated, in substance and in part, that he knew he was bringing drugs into the United States and that he expected to be paid approximately \$4,000 for doing so.

WHEREFORE, your deponent respectfully requests that the defendant CRISTIAN ANTONIO VASQUEZ ROSARIO be dealt with according to law.

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CHRISTOPHER MCKELVY  
Special Agent  
Homeland Security Investigations

Sworn to before me this  
6th day of September, 2011

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THE HONORABLE ROANNE L. MANN  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK